



AUGUST
2005
JOURNAL

Meeting Schedule

Monday, August 15th at 7:00 p.m.
Work Session

Monday, September 12 at 7:00 p.m. Work Session
Monday, September 26 at 7:00 p.m. Town Meeting



Farmers Market



Every Saturday from 8:00 a.m. to noon at the Train Station
Be sure and stop by our new vendor "Nuts to You"!
Fresh melons and corn are here!

Events

Monday, September 5 at 10:00 a.m. to 3:00 p.m.
38th Annual Kensington Labor Day Parade and Festival

Paint the Town Art Show



The Town office will be closed on Monday, September 5th.
Trash pick up will be on September 6th.

Contact us at 3710 Mitchell Street, Kensington, MD 20895
Phone: 301-949-2424; Fax: 301-949-4925;

E-mail: mayor.council@tok.md.gov; Web Site: www.tok.md.gov



Labor Day Event!!

MARK YOUR CALENDARS for the 38th annual Labor Day Parade and Festival on Monday, September 5, from 10am – 3pm. This year's festival features lots of family entertainment including live music on 2 stages with performances from top R&B performers, and children's activities in Reinhardt Park such as face painting, balloon sculpting, puppet show/workshop, and live children's music. A teen exhibition area will feature teen bands, Miss Teen Maryland, and fun activities for older kids. And of course you will find wonderful artwork and handmade designs from area artisans, and lots of great food!! Special thanks to all our sponsors and to those who have signed up to assist – it's not too late to get involved. Volunteers for weekend setup and event day assistance still needed. For more info contact Kathy Taylor 301-942-9254, ladytaylor@msn.com or check the town website at www.tok.md.gov *See you on Labor Day!*

Building Permits Issued

Antennas at 10225 Frederick Ave.; Deck at 3415 Dupont Ave.; Fence at 10530 Wheatley St.; Demolition at 3606 Perry Avenue; Fence at 10320 Fawcett Street

PEPCO Emergency Numbers to Report Outages or Downed Wires

Outages: 1-877-PEPCO-62 (1-877-737-2662); Downed Wires: 202-872-3432

Street Sweeping

The Town will be sweeping the streets August 30th and 31st. Please park on the even side of the street on the 30th and the odd side the 31st.

Recycling

The Town of Kensington has recently become aware of a number of changes to Montgomery County's recycling regulations, specifically Regulations 18-04 and 15-04AM. These regulations will require mandatory recycling efforts and goals for our residents and business owners. The effective enforcement date for both regulations will be February 8, 2006. We will be reviewing these regulations in detail and will be providing to you updates on these changes on a regular basis. A copy of our current disposal and recycling policies are included for your convenience.

Amendment to Chapter V, Article 1, Section 5-104 (b) (2)

Exceptions: When building an addition to an existing dwelling, at least one side of the addition must conform to no less than the minimum side yard requirement in existence when the dwelling was constructed **or seven (7) feet, whichever is greater.** The sum of the side yards of an addition must total at least twenty (20) feet, no matter when the original dwelling was constructed. An addition adding fifty percent (50%) or more to the footprint of the original dwelling shall be considered new construction and not an addition and shall conform to the existing side yard requirements.

Adopted July 18, 2005; Effective August 8, 2005

Mayor's Report

- This past month the Mayor, several Council Members and the Director of Public Works attended the Maryland Municipal League Convention. The workshops and information were, as always, extremely informative. Roundtable discussions with most of Governor Ehrlich's cabinet were provided for all officials.
- The Embassy Players had a good run and were sold out for most performances. This seems to be another good use for our community center.
- The Mayor met with commercial property owners, at their request, to discuss issues of concern, dumpster location, recycling etc.
- The midcounty Advisory Board held a meeting in June. The Mayor attended and shared our plan for a Connecticut Ave. pedestrian safety and beautification program. She has since sent a letter to State Highway Administration requesting funding to improve the Connecticut Ave. corridor as discussed in May with Lt. Governor Michael Steele and District Engineer Charlie Watkins.
- The Mayor attended two Wheaton/Kensington Chamber of Commerce meetings this month. One item of great interest was the legislation the Montgomery County Council's developing to eliminate urination in public places.
- A 50th anniversary celebration was held for Lt. Thomas Jacocks of the Montgomery County Police Dept. Lt. Jacocks has been in continuous police service to our county for 50 years and still going strong. It was apparent to anyone in attendance that the Lieutenant is held in great esteem by everyone who knows and has worked with him. The Mayor was delighted to have been invited to this event.
- She attended the Maryland Dept. of Business & Economic Development Capital Region meeting held at our community center on June 30. The meeting was directed to the small businesses in Wheaton, Kensington and Takoma Park. The meeting provided information and offered assistance to individual businesses one on one. Those in attendance were pleased with the meeting.
- The mill stone from the Ray family home is in Flinn Park. The Ray farm was located along Silver Creek and the family had a mill for the use of their farm. Edith Ray Saul a resident of the Town until she passed away was a descendent of the Ray family. Ms. Saul was quite active in the Kensington Historical Society.

Mayor's End of Fiscal Year Report for 2004/2005

I am pleased to report the State of our Town is good. Our Town is healthy and vibrant thanks to our citizens and business owners. We are pleased to be recognized as a small Town where you know and greet your neighbors on walks with your children and dogs. Our parks are lovely and provide an enormous amount of enjoyment for our residents.

Each year we improve our infrastructure including park enhancements, road repaving, and Town Hall restoration. Improvements to the functionality of the Town office have been ongoing for the last seven years. We became part of the IT community before the turn of the new century. We have continued to improve our web site and are quickly in contact with our residents by email when the need occurs.

From a financial point of view the Town has had a balanced budget for the past seven years, while continuing to make major improvements to the Town Hall/Community Center, sidewalks, streets, parks etc. These improvements will continue in the 2005/2006 budget.

Our policy is to enhance communications with our residents and business community. We want to hear your comments, concerns, criticisms and kudos about our Town. Our goal is to continue to improve the quality of life of all Kensingtonians.

Key Activities 2004/2005

- Completed the final Phase II work in St. Paul Park. This is our largest playground park and one of the most heavily used. It is a great place to hold our Town picnics.
- The Town Hall Community Center Building was pressure washed, the mortar repointed and repaired following Maryland Historic Preservation standards. This was accomplished with a grant from the State. The Council room was repainted and improved. The Historical Society room was renovated on the ground floor and work has begun on the third floor restoration. The railings and all exterior wood surfaces repainted. We installed new lights on the front of the building.
- We contracted Montgomery County police officers to enforce our Town signage during Monday through Friday. This has been effective in lowering the number of violations.
- All of our gateway signs were repainted. One sign needed major repairs after an automobile accident last fall.
- The land swap agreement between Montgomery County and Konterra Ltd. (cement plant owner) was signed. This site will provide more parking and retail space after the development is complete.
- We placed doggie bins in most of our parks for the convenience of our residents.
- Received approval for \$88,000 in Historic Grant Funding to restore the Kensington Cabin. The Town will be able to use or rent the site for community activities.
- Installed our first rain garden in Ernest Park by volunteers from Montgomery County, Town staff and citizens.

- Added more swings to Reinhardt Park with help from Program Open Space funding. This popular playground in the south side of Town is used and enjoyed each day by many children.
- A sidewalk was installed on Frederick Ave. in front of Kensington House. This has been a great benefit to the residents of that area.
- A new staircase and a handicapped accessible walk were installed in Clum Kennedy Gardens. New benches and tables were added for the use and enjoyment of those who frequent this beautiful garden park. Flinn Park was completed with a brick sidewalk, new benches, and tables.
- Our well known resident Lorraine Kennedy was selected by the State of Maryland for the Lifetime Achievement Award that was presented by Governor Ehrlich for her continued volunteerism in our Town and Montgomery County.
- Completely restored the brick sidewalk on Montgomery Ave. and Carroll Place and performed minor repairs in other sections of Town.
- We are now in compliance with Federal and State regulations for storm water management. Many of our storm drains were clogged; they now are cleaned. The storm drains have been mapped in the GPS format according to Federal and State mandate.
- Added a second theater company to the Town Hall. The use of the Town Hall/Community Center for theater has been a good use supported by our residents.
- The Town received a proclamation from Government Ehrlich commending us for “Ongoing growth of business and thus quality of life in the Town of Kensington”.

Our special events this year were, as always, well attended and enjoyed by our Town residents. A special thanks to our volunteers who gave their time and talent to contribute to the wonderful special events and served on committees.

Thank you to my Council and Town employees. By working as a team we have accomplished much.

Enjoy the rest of your summer; we all look forward to serving you for another year!

Town Meeting

June 13, 2005

Mayor Raufaste called the meeting to order at 7:00 p.m. with Council Members Carr, Cowan, Pfautz, and Timlin, Public Works Director Wojton, Code Enforcement Officer Hamilton and Clerk Treasurer Engels present. The Pledge of Allegiance was recited. A Moment of Silence was observed.

Representatives from Chevy Chase Bank presented their proposed plans for a new bank at the former Pizza Hut location. The proposed building will have the same footprint as the former building but will be approximately five foot taller. They have proposed 30% more green space, two curb cuts, improved lighting, removal of the pole sign and working with the Town to coordinate light fixtures.

The amendment to Chapter V, Article 1, Section 5-104 Building Lines was introduced to add clarification to the Exception Section. See Council Actions. Residents expressed concerns over the existing amendment not being strict enough and that the variance was too restrictive.

Council Member Pfautz introduced Resolution 2005-01 for the preservation of Circle Manor. See Council Actions.

John Doherty presented a petition to the Mayor and Council with over 300 signatures supporting the preservation of the Circle Manor property and opposing new development which would result in subdividing the oval.

Council Member Carr reported on a citizens meeting he went to on Westfield developing a parcel on University Boulevard with dense housing. He suggested supporting Kensington Heights if they decide to oppose the dense development due to storm water and traffic impact on the Town.

The minutes from the May 23, 2005 Town Meeting were reviewed.

The Mayor and Council did not present monthly reports.

Public Works Director Wojton gave an update on the storm drain cleaning/mapping and the Kent Street Bridge contract.

Council Actions

Council Member Pfautz moved to support Chevy Chase Bank with their permit application to the County for their proposed building at 10707 Connecticut Avenue. Council Member Cowan seconded and it passed unanimously.

Council Member Pfautz moved to introduce an amendment to Chapter V, Article I, Section 5-104 Building Lines to include the language “or seven (7) feet, whichever is greater” to the Exception Section. Council Member Cowan seconded and the motion passed with a three to one vote. Council Member Carr opposed the motion due to concern over not having the flexibility to accommodate certain situations for homeowners adding on to their house.

Council Member Cowan moved to accept Resolution 2005-01 on the preservation of Circle Manor. Council Member Carr seconded and the motion passed unanimously with the Mayor concurring. Council Member Cowan stated that the resolution does not suggest that the Town would deny an economic value to the owner of the property but rather that any potential development would take into account the existing parcels and would be constrained to the existing foot print of the parcels.

Council Member Carr moved to approve the minutes from the May 23, 2005 Town Meeting. Council Member Pfautz seconded and the motion passed. Council Member Timlin abstained.

Council Member Pfautz moved to transfer \$36,000 from Public Works Salaries in the 2004/2005 fiscal year budget as follows: \$5,000 to Administrative Salaries, \$11,000 to Town Hall Maintenance, and \$20,000 to Storm Drain Maintenance and Repair. The transfer was made due to administrative accrued vacation, large repairs at Town Hall including repair to the outside wall, and federally mandated storm drain mapping and cleaning. Council Member Cowan seconded and it passed unanimously.

Council Member Cowan moved to adjourn the Town Meeting at 8:20 p.m. Council Member Timlin seconded and it passed unanimously.

Work Session of Mayor & Council

June 13, 2005

The Work Session commenced at 8:40 p.m., Mayor Raufaste, Council Members Carr, Cowan, Pfautz, and Timlin, Public Works Director Wojton, Code Enforcement Officer Hamilton, and Clerk-Treasurer Engels were present and the following issues were addressed:

A resident requested a sidewalk in front of his home at 10209 Montgomery Avenue to provide easier access to his house for family members by connecting it to an existing walkway to the house and it would also provide pedestrians with a sidewalk. The State Forester will be contacted to determine if the large established tree would be affected. The Council asked that the Director of Public Works provide the Council with an estimate for the work and that the Code Enforcement Officer report back on the impact to the tree.

The Code Enforcement Officer suggested changing the housing maintenance part of the Town Code to include walkways, steps, and patios. She also suggested the property maintenance ordinance include language to allow the Town to “clean and lien” similar to the county ordinance. The Town will review the County ordinance and discuss further.

The Code Enforcement Officer will contact the sign committee with questions regarding allowing banners on Howard Avenue and temporary signs such as home improvement signs.

The Mayor informed the Council of those interested in serving on the parking committee which includes Susan Gerson, John Morris, Dennis McCurdy, Peter Fosselman, Mary O'Donnell and Chris Bruch.

A resident requested the Town consider allowing Marc train commuters to use the remaining three spaces until Safeway closes or the north side parking lot opens. If time permits, the Code Enforcement Officer will conduct a survey of the spaces.

The project list was reviewed and updated. The Mayor reported that the Gould property cannot be used as a temporary lot due to the liability. Council Member Pfautz discussed

overlay zoning and a survey that could be sent out to residents pertaining to overlay zoning.

The monthly correspondence was reviewed.

There being no further business, the meeting adjourned at 10:00 p.m.

Special Meeting to Set Council Responsibilities

July 4, 2005

Mayor Raufaste, Council Member Carr, Council Member Furman, Council Member Goldsmith, and Council Member Pfautz were present to discuss the division of Council Responsibilities.

The Council set responsibilities as follows: Al Carr, Finance & Land Use Planning; David Furman, Traffic & Safety; Ken Goldsmith, Revitalization & Strategic Planning; and Leanne Pfautz, Parks and Infrastructure.

David Furman and Ken Goldsmith were sworn in as Council Members on June 30, 2005, effective July 1, 2005.

Town Meeting

July 18, 2005

Mayor Raufaste called the Meeting to order at 7:05 p.m. with Council Members Carr, Furman, Goldsmith, and Pfautz, Town Attorney McGuckian, Public Works Director Wojton, and Clerk Treasurer Engels present. The Pledge of Allegiance was recited. A Moment of Silence was observed for long time residents Edmond Pachner and Frances Rector who recently passed away.

Newly elected Council Members Goldsmith and Furman expressed their support for the Circle Manor Resolution as adopted by the former Council at the June 13, 2005 Town Meeting.

Fred Boyd and Bill Gries were present from MNCPP-C. Bill Gries explained the Legacy Open Space Program and some of the acquisitions they have accomplished through the Program. He explained that they have just begun the negotiations with the contract purchasers of Circle Manor and answered questions from residents. Wat Stewart presented a petition with 750 signatures supporting the preservation of Circle Manor to MNCPP-C.

The amendment adding clarification to Chapter V, Article 1, Section 5-104 Building Lines was discussed. Some residents expressed concerns over the building code being too restrictive on smaller homes and that it would not prevent mansionization. The Council encouraged further resident input on this issue and noted that lot coverage and height restrictions were also being considered as part of the Town's Master Plan/overlay process over the next year or two. See Council Actions.

The minutes from the June 13, 2005 Town Meeting were reviewed.

The Mayor, Council and Public Works Director gave reports.

The Mayor read a proclamation received from the Governor in tribute to the Town to acknowledge the Town's service in the ongoing growth of businesses and quality of life.

Council Actions

Council Member Pfautz moved to adopt the amendment to Chapter V, Article I, Section 5-104 Building Lines to include the language "or seven (7) feet, whichever is greater" to the Exception Section. Council Member Goldsmith seconded the motion. Council Member Carr and Furman opposed the motion. The Mayor voted in favor of the motion and the motion passed.

Council Member Furman moved to confirm the Mayor's appointments of Jack Green, Jay Kaiser, and Leslie Olson to the Audit Committee. Council Member Goldsmith seconded and the motion passed unanimously.

Council Member Pfautz moved to approve the minutes from the June 13, 2005 Town Meeting. Council Member Goldsmith seconded and the motion passed unanimously.

Council Member Pfautz moved to inform the County Council that the Town is supportive of the concept in the Offenses in Public Places county bill and encourage them, if adopted, to make it part of their health code. Council Member Goldsmith seconded and it passed unanimously.

Council Member Pfautz moved to adjourn the Town Meeting at 9:00 p.m. Council Member Goldsmith seconded and it passed unanimously.

Work Session of Mayor & Council

July 18, 2005

The Work Session commenced at 9:00 p.m., Mayor Raufaste, Council Members Carr, Furman, Goldsmith, and Pfautz, Public Works Director Wojton, Code Enforcement Officer Hamilton, and Clerk-Treasurer Engels were present and the following issues were addressed.

The project list was reviewed and updated.

The monthly correspondence was reviewed.

The upcoming Work Sessions and Town Meeting were set as follows: Work Session September 12; Town Meeting September 26; Work Session October 3; Town Meeting October 24; Work Session November 7; Town Meeting November 28; and Work Session December 12.

There being no further business, the meeting adjourned at 9:50 p.m.

Council Actions

Council Member Goldsmith nominated Council Member Pfautz as Mayor Pro Tem. Council Member Furman seconded and the motion passed with a three to one vote. Council Member Pfautz abstained.

The Trash flyer that was attached to the Journal can be found on the Town's Web site at:
http://tok.md.gov/pdfs/government/garbage/trash_flyer.pdf

The recycling flyer can be found at:
http://tok.md.gov/pdfs/government/garbage/recycling_flyer.pdf